ORIGINAL

Before the Federal Communications Commission Washington, D.C. 20554

ORIGINAL > FILE

In the Matter of)	MM Docket No
Amendment of Section 73.202(b))	RM:
Table of Allotments,)	
FM Broadcast Stations)	
(Proctor, Minnesota))	

To: Chief, Policy and Rules Division

Mass Media Bureau

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(SEP 2 4 1992 FEDERAL COMMUNICATIONS COMMISSION

PETITION FOR RULEMAKING

FEDERAL COMMUNICATIONS
FINE SECRETARY
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OF THE SECRETARY
OF THE

City Present Proposed

Proctor, Minnesota --- 297A

The attached statement by John J. Mullaney, Mullaney Engineering, Inc., demonstrates that the proposed assignment would be in substantial compliance with all technical and spacing considerations contained in the Commission's Rules. The proposed channel allocation is within 290 kilometers of the U.S. border and, therefore, foreign concurrence (Canadian) is required.

Frank P. Befera will promptly file an application for a construction permit seeking authority to construct (and operate) a commercial FM broadcast station on Channel 297A, should the Commission assign the requested channel, and shall promptly construct such station.

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WHEREFORE, it is respectfully requested that the Commission issue a Notice of Proposed Rulemaking to amend Section 73.202(b) of the Commission's Rules by assigning FM Channel 297A to Proctor, Minnesota.

Respectfully submitted,

FRANK P. BEFERA

Bv:

Robert J. Rini

His Counsel

Rini & Coran, P.C. 1350 Connecticut Ave., N.W. Suite 900 Washington, DC 20036 (202) 296-2007

Date:

September 23, 1992

/es/BEFE0924/

9049 SHADY GROVE COURT GAITHERSBURG, MD 20877

301 921-0115

ENGINEERING EXHIBIT EE:

FRANK P. BEFERA

ALLOTMENT OF CHANNEL 297A AT PROCTOR, MN

SEPTEMBER 14, 1992

ENGINEERING STATEMENT IN SUPPORT OF A PETITION FOR RULE MAKING

TO AMEND

THE FM TABLE OF ASSIGNMENTS

ORIGINAL SIGNATURE

ENGINEERING EXHIBIT EE:

FRANK P. BEFERA

ALLOTMENT OF CHANNEL 297A AT PROCTOR, MN

TABLE OF CONTENTS:

- 1. Declaration of Engineer
- 2. Narrative Statement.
- 3. Figure 1, Channel Allocation Study for Ch. 297A from the City Reference Coordinates.
- 4. Figure 2, Allowable Area Map for Ch. 297A.

DECLARATION

I, John J. Mullaney, declare and state that I am a graduate electrical engineer and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by Frank P. Befera to prepare an engineering statement in support of a Petition to Amend the FM Table of Assignments.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

John J. Millaney

Executed on the 14th day of September 1992.

ENGINEERING EXHIBIT EE:

FRANK P. BEFERA

ALLOTMENT OF CHANNEL 297A AT PROCTOR, MN

NARRATIVE STATEMENT:

I. GENERAL:

This engineering statement has been prepared on behalf of Frank P. Befera. The purpose of this statement is to support a request that the FM Table of Assignments be amended to allotment of Ch. 297A to Proctor, Minnesota.

Ch. 297A would be the First Local Service to be licensed to Proctor, MN (St. Louis County). The city of Proctor has a 1990 population of 2,974 persons.

It should be noted that the area in question is within 290 kilometers (180 miles) of a U.S. Border and, therefore, foreign concurrence (Canadian) is required.

II. ENGINEERING DISCUSSION:

A. Proposed Site - Proctor, MN:

The following geographic coordinates are for the city reference point of Proctor, MN:

Latitude: 46° 44′ 42" Longitude: 92° 13′ 54"

B. Channel Allocation Study - Proctor, MN:

Figure 1 is a Channel Allocation Study from the Special Reference Point proposed herein which indicates the required separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Applications, and pending Rule Makings. From this study it can be determined that the proposed special reference point exceeds all of the minimum separations. There are no known Canadian problems associated with this allocation.

Figure 2 is a map which illustrates these restrictions and the resulting area in which the tower site must be located. It also clearly demonstrates that it is possible to propose a site that will provide an unobstructed view of the City of License, Proctor, MN and will serve the entire Community with the required 3.16 mV/M contour.

C. Public Interest Showing:

Assuming maximum Class A facilities the population served within the 60 dBu contour is 152,384 persons (1990 census).

Based upon the above reasons Frank P. Befera believes that the requested channel allotment is in the Public Interest and should therefore be granted by the Commission.

III. SUMMARY:

Frank P. Befera requests that the FM Table of Assignments be amended to allotment of Ch. 297A to Proctor, MN.

City	Present	Proposed		
Proctor, MN		297A		

If Channel 297A is allotted to Proctor, Frnak P. Befera will file an application for construction permit and if granted a C.P. will construct promptly.

September 14, 1992.

RM	297 A	FR	POLARIZATION	ERP	(KW)	HAAT	RCAMSL
PROCTOR MN US				HOR PLN	BH TILT	(METER)	(METER)
46.4442 92.1354	(D.MMSS)		HORIZONTAL	6.000	0.000	100.0	
			VERTICAL	6.000	0.000	100.0	

THE FOLLOWING CONTOURS ARE CALCULATED USING:

CALCULATED HAAT FROM TOPO DATA BASE ERP= 6.000 (KM) 7.8 (DBK) HAAT= 100.0 (METERS)

					AZINUTH	HAAT	HAAT	CONTOURS	(KH)	
INTERFERING	DONE	STIC	CANA	DIAN	DEGREES	(METERS)	(FEET)	70 IBU	60 DBU	54 DBU
	DBU	KM	DBU	KH	0.0	-0.8	-2.6	8.9	15.8	22.4
CO CHANNEL	(40.0)	86.7	(34.0)	98.9	45.0	32.7	107.1	9.3	16.4	23.2
1ST ADJACENT (54.0)	43.7	(48.0)	35.0	90.0	231.3	759.0	24.5	41.1	53,2
2ND ADJACENT ((80.0)	9.1	(74.0)	7.0	135.0	229+0	751.2	24.4	41.0	53.0
3RD ADJACENT ((100.0)	2.8	(94.0)	2.3	180.0	164.1	538.4	20.9	35.6	47.4
v					225.0	97.6	320.2	15.9	28.0	38.3
PROTECTED ((60.0)	28.3	(54.0)	38.7	270.0	35.9	117.9	9.7	17.3	24.2
					315.0	10.2	33.5	8.9	15.8	22,4
CITY GRADE	(70.0)	16.2								
					AVERA	GE 100.0	328.1	16.2	28.3	38.7

EST SITE ELEVATION: 383.8 m.; 1259.2 ft. EST RAD CENTER AGL: 41.6 m.; 136.5 ft. RAD CENTER A.M.S.L.: 425.4 m.; 1395.7 ft.

THE CANADIAN BORDER IS 153.5 KM ON A BEARING OF 18.8 DEG. TRUE

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FRON	TO	CALL	STS	FILE	NUMBER	CITY	ST	C	(D.HH	55)	REL	CHN	HORZ	VERT	(M) i	4 F5010 (KM)	F5050 (KM)	DIST (KM)		RSEP (KM)	IR IC
272.0 9	1.9	WKLKFM	CP	BPH90	0315MI	Cloquet	MM	A	46,4458	92.2517	IF	243A	6.0H	1 6.01	100			14.5	10.		С
**C01	hhen'	T##ERP	exce	eds the	maximu	m allowed	und	19	internat:	ional agi	eem	ents									
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7+8 18	8.3		VAC			Isnace	ЮN	C	49,2500	91.4000	CO	297C	Н	į V)			300.0	259.		
253.5 7	2.1	KLIZFM	LIC	BLH78	B1010AD	Brainerd	MN	A	46.1956	94,1026	1ST	29801	100.H	100.0	107			155.9	133.		
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CHANNEL ALLOCATION STUDY

FRANK P. BEFERA

ALLOTMENT OF CHANNEL 297A AT PROCTOR, MN

MULLANEY ENGINEERING, INC. GAITHERSBURG, MARYLAND

> FIGURE 1 SEPTEMBER 1992

